

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 27, 2009

DIVISION ONE

[illegible]

The judgment is amended to strike reference to the unspecified "\$200 plus penalty assessment." The judgment is affirmed in all other respects.

Tucker, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B200915 People (Not for Publication)
v.
Willis

The judgment is affirmed.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION ONE (continued)

B203581 Keller (Not for Publication)
v.
Askar et al.

The judgment is affirmed. Keller shall recover his costs on appeal.

Tucker, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B210427 Los Angeles County, D.C.F.S. (Not for Publication)
v.
J.D., Sr.

The jurisdictional findings against J.D., Sr. are reversed. The dispositional order is reversed as to J.D., Sr. The juvenile court is directed to hold a hearing to consider and make findings under section 361.2, subdivision (a) in writing or on the record.

Tucker, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

[illegible]

The sentence is vacated, and the case is remanded for resentencing. The judgment is otherwise affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Weisberg, J. (Assigned)

DIVISION TWO

B206060 Southern California Edison et al. (Not for Publication)
 v.
 Tatt Corporation

The judgment is affirmed. Edison and RHC shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B211327 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 A.V.

The October 2, 2008 jurisdictional/dispositional order is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B212046 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 A.V.

The November 3, 2008 jurisdictional/dispositional order is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

May 27, 2009 (Continued)

DIVISION THREE (continued)

B201986 People (Not for Publication)
v.
Abelardo Arrieta Salais

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B208446 People (Not for Publication)
v.
Finley

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B198550 Moore
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

Filed order vacating submission order of February 20, 2009. Due to the press of other court business and the complexity of the issues in this case, a brief additional amount of time is needed to complete and file the opinion in this matter. Cause resubmitted.

DIVISION FOUR

B207314 Khanbabapour et al. (Not for Publication)
v.
H.C. Makabe & Sons, LLC et al.

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Epstein, P.J.
 Willhite, J.

B195083 Jazayeri et al. (Certified for Publication)
v.
Mao et al.

The judgment is reversed. The matter is remanded for retrial. Appellant(s)
to recover costs.

Manella, J.

We concur: Epstein, P.J.
 Willhite, J.

DIVISION FIVE

B208695 Mary Lou Zelmanski, et al., (Not for Publication)
v.
Golden Pin Inc., et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, Acting P.J.

I concur: Kriegler, J.
I dissent: Mosk, J. (Opinion)

DIVISION FIVE (continued)

B201786 Guadalupe Lima, a Minor, etc., (Certified for Publication)

v.

Steve Vous, M.D., etc

The Director of the Department of Health Care Services

The trial court's order denying the motion to extinguish is reversed and remanded with instructions to the trial court, after hearing from the parties, to grant plaintiff's motion to extinguish the DHS lien to the extent it exceeds the amount the trial court determines should be allocated to past medical expenses. Plaintiff is awarded her costs on appeal.

Mosk, J.

We concur: Turner, P.J.

Kriegler, J.

DIVISION SIX

Court convened at 9:34 a.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., and J. Terry, Deputy Clerk.

B205503 Baxley

v.

Baxley

Merits:

Argued by Vanessa Kirker for appellant and by John F. Hodges for respondent. Cause submitted.

B209620 Nast

v.

Nast

Merits:

Argued by Jason Nast appellant in propria persona. Respondent failed to appear pursuant to rule 8.220, California Rules of Court. Cause submitted.

DIVISION SIX (continued)

B206598 Burnes
 v.
 Sugarman

Merits:

Argued by John F. Hodges for appellant and by Roy E. Ogden for respondent. Cause submitted.

B209463 Wells Fargo Bank, N.A.
 v.
 Atascadero Ford, Inc.

Merits:

Argued by Sean Michael Jacobson for appellant and by Stephen M. Spinella for respondent. Cause submitted.

Gilbert, P.J., left the bench.

B210902 Perry
 v.
 Perry

Merits:

Argued by Scott B. Campbell for appellants and by John R. Mackall for respondent. Cause submitted.

DIVISION SIX (continued)

B206957 Citizens for Planning Responsibly
v.
County of San Luis Obispo, et al.
San Luis Obispo Marketplace, et al.

Merits:

Argued by Barbara Jan Schussman for appellants San Luis Obispo Marketplace and Marketplace Associates, et al. and by Kevin P. Bundy for respondent. Warren Jensen, San Luis Obispo County Counsel, appeared for appellants County of San Luis Obispo, et al., and advised that his clients no longer took a position on the matter and wished to remain neutral. Cause submitted.

Court Adjourned.

DIVISION SEVEN

B209174 Metropolitan News Company (Not for Publication)
v.
California Department of Unemployment Insurance Appeals Board
Steven M. Cischke

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.
 Zelon, J.

B202414 People (Not for Publication)
v.
Cook

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.
 Zelon, J.

May 27, 2009 (Continued)

DIVISION SEVEN (continued)

B210706 People (Not for Publication)
v.
Cash

The judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.
Jackson, J.

B210988 Jorge E. (Not for Publication)
v.
Los Angeles County Department of Children and Family Services

The order of the juvenile court terminating reunification services for Father is reversed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B204267 Cheryl L. Markray (Not for Publication)
v.
SBC - Pacific Bell Directory

The judgment is affirmed. Pacific Bell shall recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
Jackson, J.

May 27, 2009 (Continued)

DIVISION SEVEN (continued)

B202555 Norval D. Crutcher (Not for Publication)
 v.
 Arent Fox, LLP et al.

The judgment is affirmed. Respondents shall cover their costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Rubin, Acting P.J., Flier, J., Bigelow, J., Bauer, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

Each of the following:

B207134 People v. Boxie
B208510 People v. Kelly
B207040 People v. Henderson
B212647 DCFS v. A.B.
B212422 DCFS v. L.S. & W.L.
B212028 DCFS v. S.A.
B207470 Hemsley v. Ross
B208279 People v. Williamson
B207925 People v. Trujillo
B206865 Cesaro et al. v. Quinn Emanuel Urquhart etc.

Argument waived, cause submitted.

DIVISION EIGHT (continued)

B209466 Sonny Gibson
 v.
 HSBC Bank USA

Merits:
Argued by Paul Sigelman for appellant and by James H. French for
respondent. Cause submitted.

B207872 L.E.C.H.,
 v.
 Aaron Klein et al.,

Merits:
Argued by Jon Michaelson for appellants and by Jonathan W. Pastor for
respondent. Cause submitted.

B198611 Patrick Weir et al.,
 v.
 Travelers Casualty & Surety Company

Merits:
Argued by Steven L. Zelig for appellants and by Kathleen Delaney for
respondent. Cause submitted.

Flier, J. left the bench.

B208944 Lone Star Security & Video, Inc. et al.,
 v.
 Bureau of Security & Investigative Services

Merits:
Argued by George M. Wallace for appellants and by Rene Judkieuiz,
Deputy Attorney, for respondent. Cause submitted.

Flier, J. resumed the bench.

DIVISION EIGHT (continued)

B210629 Randy Haro et al.,
 v.
 City of Rosemead

Merits:

Argued by Jon D. Henderson for appellants and by Daphne Anneet for respondent. Cause submitted.

Rubin, J. left the bench.

B204958 Toby Polinger
 v.
 Delta Airlines, Inc. et al.,

Merits:

Argued by Holly N. Boyer for appellant; by Lisa S. Kantor for respondent Delta Air Lines, Inc.; by William V. O'Connor for respondent Telair International, Inc.; and by Ronald McIntire for respondent The Boeing Company. Cause submitted.

Rubin, J. resumed the bench.

Flier, J. left the bench

B201064 Estate of Aaron Keller et al.,
 v.
 Calif. Highway Patrol

Merits:

Argued by Robert Amidon for appellants and by Donna M. Dean, Deputy Attorney General, for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:25 p.m.

Present: Rubin, Acting P.J., Bigelow, J., Bauer, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

DIVISION EIGHT (continued)

B204404 People
 v.
 L.L.,

Merits:

Argued by Laini Melnick for appellant and by Tannaz Louhpainezhad, Deputy Attorney General, for respondent. Cause submitted.

Flier, J. assumes the bench

B206213 Maria Barba
 v.
 Anderson-Mata
 Surety Bonding Company of America

Appearances:

Mark Aronson appears for respondent and no appearance by counsel for appellant. Argument waived, Cause submitted.

B206426 Andrea Colocho et al.,
 v.
 Los Angeles Unified School District

Merits:

Argued by Stuart B. Esner for appellants and by Gary Bacio for respondent. Cause submitted.

Bigelow, J. left the bench.

B203882 People
 v.
 David Strong

Merits:

Argued by Roberta Simon for appellant and by Nima Razfar, Deputy Attorney General, for respondent. Cause submitted.

Bigelow, J. resumed the bench.

DIVISION EIGHT (continued)

Flier, J. left the bench.

B203964 John Duran et al.,
 v.
 Ralphs Grocery Company

Merits:

Argued by Jacob F. Rukeyser for appellants and by Timothy F. Ryan for real party in interest Ralphs Grocery Company. Cause submitted.

B208200 Los Angeles Korean Methodist Church
 v.
 Jong Hwan Kim, et al.,

Merits:

Argued by Kenneth A. Levine for appellants and by Douglas Han for respondent. In open court submission of the matter deferred until a later date.

B204988 Karolyn Berkman et al.,
 v.
 Shi-Yin Wong

Merits:

Argued by Peter Klika for appellants and by Tami S. Smason for respondent. Cause submitted.

B211858 In re Prentiss Griffin
 on
 Habeas Corpus

Oral argument continued to June 23, 2009, at 10:00 a.m.

Court adjourned.